

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BELL NORTHERN RESEARCH, LLC,

Plaintiff,

v.

T-MOBILE USA, INC. and T-MOBILE
US, INC.,

Defendants.

Civil Action No. 4:23-cv-910-ALM

JURY TRIAL DEMANDED

PROPOSED SCHEDULING ORDER

Court's Proposed Deadlines	Agreed Proposed Deadlines	Description
(10 days after Mgmt. Conf. ("CMC")) Thursday, March 28, 2024	Thursday, April 18, 2024	P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions (and P.R. 3-2 document production) to be served.
(5 weeks after CMC) Monday, April 22, 2024	Monday, April 22, 2024	Join Additional Parties
(5 weeks after CMC) Monday, April 22, 2024	Monday, May 13, 2024	P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served. To the extent not already required to be disclosed, exchange Mandatory Disclosures on all issues, including damages.
(No later than 45 days after CMC) Thursday, May 2, 2024	Monday, May 20, 2024	Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1).

Court's Proposed Deadlines	Agreed Proposed Deadlines	Description
<i>(7 weeks after CMC)</i> Monday, May 6, 2024	Monday, May 6, 2024	Privilege logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents).
<i>(No later than 65 days after CMC)</i> Wednesday, May 22, 2024	Monday, June 3, 2024	Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same. (P.R. 4-2).
<i>(13 weeks after CMC)</i> Monday, June 17, 2024	Monday, June 17, 2024	Parties' Final Amended Pleadings. (A motion for leave is required.)
<i>(No later than 95 days after CMC)</i> Friday, June 21, 2024	Friday, June 21, 2024	Joint Claim Construction and Prehearing Statement to be filed. (P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims.
<i>(16 weeks after CMC)</i> Monday, July 8, 2024	Monday, July 8, 2024	Respond to Amended Pleadings.
<i>(No later than 125 days after CMC)</i> Sunday, July 21, 2024	Monday, July 22, 2024	Completion date for discovery on claim construction. (P.R. 4-4).
<i>(No later than 140 days after CMC)</i> Monday, August 5, 2024	Monday, August 5, 2024	Opening claim construction brief. (P.R. 4-5(a)).

Court's Proposed Deadlines	Agreed Proposed Deadlines	Description
<p><i>(No later than 2 weeks after claim construction ("CC") brief)</i></p> <p>Monday, August 19, 2024</p>	Monday, August 19, 2024	Responsive claim construction brief. (P.R. 4-5(b)).
<p><i>(No later than 7 days after responsive CC brief)</i></p> <p>Monday, August 26, 2024</p>	Monday, August 26, 2024	Reply claim construction brief. (P.R. 4-5(c)).
<p><i>(4 weeks before CC hearing)</i></p> <p>Monday, August 12, 2024</p>	Monday, August 12, 2024	Submit technology synopsis/tutorial (both hard copy and disk).
<p><i>(At least 10 days before CC hearing)</i></p> <p>Friday, August 30, 2024</p>	Friday, August 30, 2024	Parties to file joint claim construction and chart. (P.R. 4-5(d)). Parties shall work together to agree on as many claim terms as possible.
<p>Claim Construction Hearing</p> <p>Monday, September 9, 2024</p>	Monday, September 9, 2024	Claim Construction hearing Monday, September 9, 2024, at 10:00 a.m. at the United States Courthouse, 7940 Preston Road, Plano, TX 75024.

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(5 weeks after CC hearing) Monday, October 14, 2024	Tuesday, October 15, 2024	Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this Court's order or the Patent Rules, nor an excuse to delay disclosure of information. It is a "catchall" deadline for provision of all remaining information which may be relevant to a claim or defense of any party at trial.
	Monday, October 28, 2024	Fact Discovery Deadline. All fact discovery must be served in time to be completed by this date.
(9 weeks after CC hearing) Monday, November 11, 2024	Monday, November 4, 2024	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(a)(2)(B). Comply with P.R. 3-7 (Designation of Willfulness Opinions).
(11 weeks after CC hearing) Monday, November 25, 2024	Monday, November 25, 2024	Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B). Note: Objections to any expert, including <i>Daubert</i> motions, shall be filed within 3 weeks after the expert's Report has been disclosed. Such objections and motions are limited to ten pages each.
	Monday, December 9, 2024	Expert Discovery Deadline. All expert discovery must be served in time to be completed by this date.
(13 weeks after CC hearing and no later than 110 days prior to the filing of the Joint Final PTO) Monday,	Monday, December 9, 2024	File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7. Responses to motions shall be due in accordance with Local Rule CV-7(e).

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December 9, 2024		
(5 weeks before final pretrial conference "PTC") Friday, March 21, 2025	Friday, March 21, 2025	<u>Notice of intent to offer certified records.</u>
(5 weeks before PTC) Friday, March 21, 2025	Friday, March 21, 2025	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order, see www.txed.uscourts.gov , and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).
(30 days before PTC) Wednesday, March 26, 2025	Wednesday, March 26, 2025	Motions in limine due. File Joint Final Pretrial Order. Exchange Exhibits and deliver copies to the Court. At this date, all that is required to be submitted to the Court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.
(4 weeks before PTC) Friday, March 28, 2025	Friday, March 28, 2025	Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross-examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the Court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations, the applicable Federal Rules of Civil Procedure, and the Court's rulings on objections.

Court's Proposed Deadlines	Agreed Proposed Deadlines	Description
(2 weeks before PTC)	Friday, April 11, 2025	<p>Response to motions in limine due.</p> <p>File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend the deadline to object to expert witnesses.) If numerous objections are filed, the Court may set a hearing prior to the final pretrial conference.</p> <p>If Parties will be requesting daily copy of the transcript during trial, they must notify the Court's court reporter, Chris Bickham, Chris_Bickham@txed.uscourts.gov, by this date.</p>
Friday, April 25, 2025	Friday, April 25, 2025	Final Pretrial Conference at 9:00 a.m. at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090.
To be determined		10:00 a.m. Jury Selection and Trial at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090.